

UNITED STATES DISTRICT COURT
for
EASTERN DISTRICT OF NORTH CAROLINA
EASTERN DIVISION

U.S.A. vs. Travis Hunter

Docket No. 4:08-CR-63-3BO

Petition for Action on Supervised Release

COMES NOW Tuell Waters, probation officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Travis Hunter, who, upon an earlier plea of guilty to Conspiracy to Commit Mail Fraud and Wire Fraud in violation of 18 U.S.C. § 371 and Wire Fraud and Aiding and Abetting in violation of 18 U.S.C. §§ 1343 and 2, was sentenced by the Honorable Terrence W. Boyle, U.S. District Judge, on May 5, 2009, to the custody of the Bureau of Prisons for a term of 24 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for 36 months under the standard conditions adopted by the court and the following additional conditions:

1. The defendant shall participate as directed in a program approved by the probation office for the treatment of narcotic addiction, drug dependency, or alcohol dependency which will include urinalysis testing or other drug detection measures and may require residence or participation in a residential treatment facility.
2. The defendant shall cooperate in the collection of DNA as directed by the probation officer.

Travis Hunter was released from custody on September 23, 2010, at which time the term of supervised release commenced.

**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR
CAUSE AS FOLLOWS:**

On February 8, 2011, the defendant submitted a urine sample at the U.S. Probation Office which tested positive for cocaine. After submitting the positive sample, Hunter signed an admission of drug use form and acknowledged that he used powder cocaine on or about February 3rd or 4th, 2011. Furthermore, the defendant failed to participate as directed in the Surprise Urinalysis Program in December 2010 and January 2011. Hunter agreed to begin substance abuse treatment and participate with the DROPS sanction. It is therefore recommended that the conditions of supervised release be modified to include the warrantless search condition and the DROPS sanction. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

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PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall consent to a warrantless search by a United States Probation Officer or, at the request of the probation officer, any other law enforcement officer, of the defendant's person and premises, including any vehicle, to determine compliance with the conditions of this judgment.
2. While under supervision in the Eastern District of NC, the defendant shall participate in the DROPS Program and, in response to detected illegal drug use, shall be confined in the custody of the Bureau of Prisons for a period not to exceed 30 days of intermittent confinement, as arranged by the probation office, in the following increments: First Use - Two Days; Second Use - Five Days; Third Use - Ten Days. The defendant shall begin the DROPS Program in the second use level.
3. The defendant shall immediately serve two days of intermittent confinement in the custody of the Bureau of Prisons, commencing as directed by the Bureau of Prisons and the Probation Office. He shall abide by all rules and regulations of the designated facility.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

I declare under penalty of perjury that the foregoing is true and correct.

/s/ Dwayne K. Benfield
Dwayne K. Benfield
Senior U.S. Probation Officer

/s/ Tuell Waters
Tuell Waters
U.S. Probation Officer
310 New Bern Avenue, Room 610
Raleigh, NC 27601-1441
Phone: (919) 861-8660
Executed On: February 28, 2011

ORDER OF COURT

Considered and ordered this 7 day of March, 2011, and ordered filed and made a part of the records in the above case.

Terrence W. Boyle
Terrence W. Boyle
U.S. District Judge